

15.06.2026
ct no. 10
Sl.33
RP

WPA 12116 of 2026
Jagannath Enterprise and Ors..
-Versus-
State of West Bengal and Ors.

Mr. Debabrata Saha Roy,
Mr. Pingal Bhattacharyaa,
Mr. Rajdeep Sinha,
Mr. Sankha Biswas

...for the petitioners

Mr. D. N. Ray, Ld. GP/Sr. Adv,
Mr. Guddu Singh,
Ms. Sarda Sha

...for the State/respondents

1. The petitioner in the instant case challenges inter alia, the inaction of the authority concerned in withholding the allotment of the ration articles in favour of the petitioner's distributorship, despite compliance with all requisite formalities.
2. The two issues involved in the instant case are whether the respondent authorities being the competent authority to issue licenses to distributors in respect of resultant vacancies, can withhold the allotment of ration articles despite an offer letter for distributorship having been issued in favour of the petitioner on 02.03.2026.
3. It is submitted on behalf of the petitioner that after receiving the offer letter for distributorship

dated 02.03.2026, the petitioner has already made a payment of Rs.5,00,000/- (Rupees Five Lakh) towards the security deposit, and Rs.60,000/-(Rupees Sixty Thousand) towards license fee on 06.03.2026 along with the payment of rent from October, 2025 being the date of application.

4. The petitioner submits that Notification being no. 4429 dated 04.09.2025 categorically provides for approval regarding the declaration of 05 distributorship vacancies (one fresh and 4 resultant) under Hooghly Sub-control area through Rationalization of Distributors.
5. It is further submitted on behalf of the petitioner that Food and Supply Department vide Memo dated 4.9.2005 accorded approval for declaration of a resultant vacancy of distributorship at Chandannagor, Champdani, Bhadreswar D (3) under sub area Hooghly, in the District of Hooghly.
6. The learned Government Pleader vehemently opposes the submissions and places reliance upon a judgment of a Co-ordinate Bench of this Court in the case of **West Bengal M.R. Distributors' Association & Anr. vs. State of**

West Bengal being WPA 25866 of 2025 and draws the attention of this Court to Paragraph 36 which is reproduced below:-

“36. By way of a supplementary affidavit the petitioner has stated that where the vacancy/vacancies were declared due to death/incapacitation or resignation of the M.R. Distributor or wholesaler, consequently dealers/ration cards of those distributors has/have temporarily been tagged with additional number of dealers/ration cards in addition to their permanently tagged dealers/ration cards, those vacancies are not under challenge in the present writ petition and members of petitioner no. 1 are not aggrieved and those vacancies can be notified and a new Distributor can be appointed, however without delinking any dealer or ration cards, however without delinking any dealer or ration cards, which has permanently been tagged with the Distributor concerned.”

7. It is further submitted by the Government Pleader that in the case of **M/s. Intercity Agencies Private Limited & Anr. Vs. The State of West Bengal & Ors.**, this Court has stayed the notification dated 4.9.2025 till the end of June 2026 or until further orders whichever is earlier.
8. Due to the notification being stayed by this Court the Department is unable to give effect to the allotment of the ration articles.
9. After careful consideration of the case and upon perusal of the record, I find that the State respondent shall obtain specific instructions from the Department with regard to the issue involved herein, since the notice which has been

challenged in the writ petition being WPO 133 of 2026 in the case of ***M/s. Intercity Agencies Private Limited & Anr.*** (supra), is different from the area challenged in the instant writ petition.

10. Let this matter appear on 22nd June, 2026.

(Smita Das De, J.)